



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

NOV 01 2000

Michael Toner, Esquire
Benjamin Ginsberg, Esquire
Bush for President, Inc.
PO Box 1902
Austin, TX 78767-1902

RE: MUR 4986
Bush for President, Inc., and David Herndon, as treasurer

Dear Messrs. Toner and Ginsberg:

On March 27, 2000, the Federal Election Commission notified your clients of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against your clients. See attached narrative. Accordingly, the Commission closed its file in this matter on October 25, 2000.

The confidentiality provisions of 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact Alva E. Smith on our toll-free telephone number, (800) 424-9530. Our local telephone number is (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff S. Jordan".

Jeff S. Jordan
Supervisory Attorney
Central Enforcement Docket

Attachment: Narrative

MUR 4986
DENVER BRONCOS

Mrs. Marion Zietz alleged that the Denver Broncos advocated the election of presidential candidate George W. Bush. She explained that on March 9, 2000, the day before the Colorado presidential primary, the Denver Broncos hosted a rally for George W. Bush and presented him with a Broncos jersey emblazoned with "BUSH" and "1" on the front.

The Denver Broncos organization responded that it had no involvement with the rally held in the parking lot of the Denver Broncos' headquarters for George W. Bush. The rally was entirely organized, overseen and executed by the Bush campaign committee. The Broncos admitted that Mr. Bush was presented with a Broncos jersey, but stated such jerseys are regularly presented to celebrities and public figures as gestures of good will. Finally, it responded that at no point during the rally did the Broncos expressly advocate the Bush campaign.

Bush for President, Inc., responded that it reimbursed ShowTell Productions a total of \$15,920 for cost associated with the rally, and properly reported the reimbursement on its 2000 April Monthly Report.

This matter is less significant relative to other matter pending before the Commission.